

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

KINGATE GLOBAL FUND, LTD. KINGATE
EURO FUND, LTD.

and

THE BANK OF BERMUDA LIMITED,

Defendants.

SIPA LIQUIDATION

No. 08-01789 (BRL)

Adv. Pro. No. 09-1161 (BRL)

SIXTH AMENDED STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel herein, that the time by which Defendants Kingate Global Fund, Ltd., Kingate Euro Fund, Ltd. and The Bank of Bermuda Limited may move, answer or otherwise respond to the Complaint is extended up to and including March 9, 2010. The pre-trial conference will be held on March 31, 2010.

The purpose of this stipulated extension is to provide additional time for the parties to finalize and seek court approval of a settlement that would resolve this adversary proceeding.

The parties to this stipulation reserve all rights and defenses they may have, and entry into this stipulation shall not impair or otherwise affect such rights and defenses, including to challenge the jurisdiction of the Court in this Court or any other Court.

Dated: New York, New York
December 21, 2009

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Madoff Investment Securities LLC and
Bernard L. Madoff*

Dated: New York, New York
December 21, 2009

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Dated: New, York, New York
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Dated: New York, New York
December 23, 2009

SO ORDERED

*/s/*Burton R. Lifland
UNITED STATES BANKRUPTCY JUDGE